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CS/CS/HB 275, Engrossed 2

2007 Legislature

1 A bill to be entitled

2 An act relating to motor vehicle, mobile home, and vessel
3 registration; amending s. 320.01, F.S.; redefining the
4 term "registration period"; defining the term "extended
5 registration period"; amending s. 320.055, F.S.;
6 establishing an extended registration period and renewal
7 period for certain motor vehicles and mobile homes;
8 amending s. 320.06, F.S.; extending the time period and
9 revising the fee for replacement of registration license
10 plates; providing for staggered implementation; extending
11 the period of validity of license plates and validation
12 stickers to provide for an extended registration period;
13 amending s. 320.07, F.S.; providing for the semiannual,
14 annual, or biennial renewal of motor vehicle and mobile
15 home registrations; authorizing the biennial renewal of
16 certain motor vehicle and mobile home registrations upon
17 payment of the cumulative total of license taxes, service
18 charges, surcharges, and other fees; amending s. 320.071,
19 F.S.; specifying that the registration period for a motor
20 vehicle or mobile home may not exceed a specified number
21 of months; creating s. 320.203, F.S.; providing for the
22 disposition of biennial registration revenues; amending s.
23 328.72, F.S.; providing for an extended registration
24 period for certain vessel owners; providing an effective
25 date.

26
27 Be It Enacted by the Legislature of the State of Florida:
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29 Section 1. Subsection (19) of section 320.01, Florida
 30 Statutes, is amended to read:

31 320.01 Definitions, general.--As used in the Florida
 32 Statutes, except as otherwise provided, the term:

33 (19) (a) "Registration period" means a period of 12 months
 34 or 24 months during which a motor vehicle or mobile home
 35 registration is valid.

36 (b) "Extended registration period" means a period of 24
 37 months during which a motor vehicle or mobile home registration
 38 is valid.

39 Section 2. Subsection (1) of section 320.055, Florida
 40 Statutes, is amended to read:

41 320.055 Registration periods; renewal periods.--The
 42 following registration periods and renewal periods are
 43 established:

44 (1) (a) For a motor vehicle subject to registration under
 45 s. 320.08(1), (2), (3), (5) (b), (c), (d), or (f), (6) (a), (7),
 46 (8), (9), or (10) and owned by a natural person, the
 47 registration period begins the first day of the birth month of
 48 the owner and ends the last day of the month immediately
 49 preceding the owner's birth month in the succeeding year. If
 50 such vehicle is registered in the name of more than one person,
 51 the birth month of the person whose name first appears on the
 52 registration shall be used to determine the registration period.
 53 For a vehicle subject to this registration period, the renewal
 54 period is the 30-day period ending at midnight on the vehicle
 55 owner's date of birth.

56 (b) A motor vehicle or mobile home that is subject to

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57 registration under s. 320.08(1), (2), (3), (4)(a) or (b), (6),
 58 (7), (8), (9), (10), or (11) is eligible for an extended
 59 registration period as defined in s. 320.01(19)(b).

60 (c) ~~(b)~~ Notwithstanding the requirements of paragraph (a),
 61 the owner of a motor vehicle subject to paragraph (a) who has
 62 had his or her driver's license suspended pursuant to a
 63 violation of s. 316.193 or pursuant to s. 322.26(2) for driving
 64 under the influence must obtain a 6-month registration as a
 65 condition of reinstating the license, subject to renewal during
 66 the 3-year period that financial responsibility requirements
 67 apply. The registration period begins the first day of the birth
 68 month of the owner and ends the last day of the fifth month
 69 immediately following the owner's birth month. For such
 70 vehicles, the department shall issue a vehicle registration
 71 certificate that is valid for 6 months and shall issue a
 72 validation sticker that displays an expiration date of 6 months
 73 after the date of issuance. The license tax required by s.
 74 320.08 and all other applicable license taxes shall be one-half
 75 of the amount otherwise required, except the service charge
 76 required by s. 320.04 shall be paid in full for each 6-month
 77 registration. A vehicle required to be registered under this
 78 paragraph is not eligible for the extended registration period
 79 under paragraph (b).

80 Section 3. Paragraphs (b) and (c) of subsection (1) of
 81 section 320.06, Florida Statutes, are amended to read:

82 320.06 Registration certificates, license plates, and
 83 validation stickers generally.--

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85 (b) Registration license plates bearing a graphic symbol
 86 and the alphanumeric system of identification shall be issued
 87 for a 6-year ~~5-year~~ period. At the end of that 6-year ~~said 5-~~
 88 ~~year~~ period, upon renewal, the plate shall be replaced. The
 89 department shall stagger the implementation of the 6-year
 90 license plate replacement cycle. The fee for such replacement is
 91 \$12 ~~shall be \$10~~, \$2 of which shall be paid each year before the
 92 plate is replaced, to be credited towards the next \$12 ~~\$10~~
 93 replacement fee. The fees shall be deposited into the Highway
 94 Safety Operating Trust Fund. A credit or refund shall not be
 95 given for any prior years' payments of such prorated replacement
 96 fee if ~~when~~ the plate is replaced or surrendered before the end
 97 of the 6-year ~~5-year~~ period, except that a credit may be given
 98 when a registrant is required by the department to replace a
 99 license plate under s. 320.08056(8)(a). With each license plate,
 100 there shall be issued a validation sticker showing the owner's
 101 birth month, license plate number, and the year of expiration or
 102 the appropriate renewal period if the owner is not a natural
 103 person. The validation sticker shall ~~is to~~ be placed on the
 104 upper right corner of the license plate. Such license plate and
 105 validation sticker shall be issued based on the applicant's
 106 appropriate renewal period. The registration period is ~~shall be~~
 107 a period of 12 months, the extended registration period is a
 108 period of 24 months, and all expirations shall occur based on
 109 the applicant's appropriate registration period. A vehicle with
 110 an apportioned registration shall be issued an annual license
 111 plate and a cab card that denote the declared gross vehicle
 112 weight for each apportioned jurisdiction in which the vehicle is

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113 authorized to operate.

114 (c) Registration license plates equipped with validation
115 stickers subject to the registration period are ~~shall be~~ valid
116 for not more than 12 months and ~~shall~~ expire at midnight on the
117 last day of the registration period. A registration license
118 plate equipped with a validation sticker subject to the extended
119 registration period is valid for not more than 24 months and
120 expires at midnight on the last day of the extended registration
121 period. For each registration period after the one in which the
122 metal registration license plate is issued, and until the
123 license plate is required to be replaced, a validation sticker
124 showing the month and year of expiration shall be issued upon
125 payment of the proper license tax amount and fees and is ~~shall~~
126 ~~be~~ valid for not more than 12 months. For each extended
127 registration period occurring after the one in which the metal
128 registration license plate is issued and until the license plate
129 is required to be replaced, a validation sticker showing the
130 year of expiration shall be issued upon payment of the proper
131 license tax amount and fees and is valid for not more than 24
132 months. When license plates equipped with validation stickers
133 are issued in any month other than the owner's birth month or
134 the designated registration period for any other motor vehicle,
135 the effective date shall reflect the birth month or month and
136 the year of renewal. However, when a license plate or validation
137 sticker is issued for a period of less than 12 months, the
138 applicant shall pay the appropriate amount of license tax and
139 the applicable fee under ~~the provisions of~~ s. 320.14 in addition
140 to all other fees. Validation stickers issued for vehicles taxed

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141 under ~~the provisions of~~ s. 320.08(6)(a), for any company that
 142 ~~which~~ owns 250 vehicles or more, or for semitrailers taxed under
 143 the provisions of s. 320.08(5)(a), for any company that ~~which~~
 144 owns 50 vehicles or more, may be placed on any vehicle in the
 145 fleet so long as the vehicle receiving the validation sticker
 146 has the same owner's name and address as the vehicle to which
 147 the validation sticker was originally assigned.

148 Section 4. Section 320.07, Florida Statutes, is amended to
 149 read:

150 320.07 Expiration of registration; ~~annual~~ renewal
 151 required; penalties.--

152 (1) The registration of a motor vehicle or mobile home
 153 expires ~~shall expire~~ at midnight on the last day of the
 154 registration or extended registration period. A vehicle shall
 155 not be operated on the roads of this state after expiration of
 156 the renewal period unless the registration has been renewed
 157 according to law.

158 (2) Registration shall be renewed semiannually, annually,
 159 or biennially, as provided in this subsection, during the
 160 applicable renewal period, upon payment of the applicable
 161 license tax amounts ~~amount~~ required by s. 320.08, service
 162 charges required by s. 320.04, and any additional fees required
 163 by law.

164 (a) ~~However,~~ Any person who owns ~~owning~~ a motor vehicle
 165 registered under s. 320.08(4), (6)(b), or (13) may register
 166 semiannually as provided in s. 320.0705.

167 (b) Any person who owns a motor vehicle or mobile home
 168 registered under s. 320.08(1), (2), (3), (4)(a) or (b), (6),

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169 (7), (8), (9), (10), or (11) may renew the vehicle registration
 170 biennially during the applicable renewal period upon payment of
 171 the 2-year cumulative total of all applicable license tax
 172 amounts required by s. 320.08 and service charges or surcharges
 173 required by ss. 320.03, 320.04, 320.0801, 320.08015, 320.0802,
 174 320.0804, 320.0805, 320.08046, and 320.08056 and payment of the
 175 2-year cumulative total of any additional fees required by law
 176 for an annual registration.

177 (3) The operation of any motor vehicle without having
 178 attached thereto a registration license plate and validation
 179 stickers, or the use of any mobile home without having attached
 180 thereto a mobile home sticker, for the current registration
 181 period shall subject the owner thereof, if he or she is present,
 182 or, if the owner is not present, the operator thereof to the
 183 following penalty provisions:

184 (a) Any person whose motor vehicle or mobile home
 185 registration has been expired for a period of 6 months or less
 186 commits a noncriminal traffic infraction, punishable as a
 187 nonmoving violation as provided in chapter 318.

188 (b) Any person whose motor vehicle or mobile home
 189 registration has been expired for more than 6 months, ~~shall~~ upon
 190 a first offense, is ~~be~~ subject to the penalty provided in s.
 191 318.14.

192 (c) Any person whose motor vehicle or mobile home
 193 registration has been expired for more than 6 months, ~~shall~~ upon
 194 a second or subsequent offense, commits ~~be guilty of~~ a
 195 misdemeanor of the second degree, punishable as provided in s.
 196 775.082 or s. 775.083.

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197 (d) However, an ~~ne~~ operator shall not be charged with a
 198 violation of this subsection if the operator can show, pursuant
 199 to a valid lease agreement, that the vehicle had been leased for
 200 a period of 30 days or less at the time of the offense.

201 (e) Any servicemember, as defined in s. 250.01, whose
 202 mobile home registration ~~has~~ expired while he or she was serving
 203 on active duty or state active duty shall not be charged with a
 204 violation of this subsection if, at the time of the offense, the
 205 servicemember was serving on active duty or state active duty 35
 206 miles or more from the mobile home. The servicemember must
 207 present to the department either a copy of the official military
 208 orders or a written verification signed by the servicemember's
 209 commanding officer to receive a waiver of ~~waive~~ charges.

210 (f) The owner of a leased motor vehicle is not responsible
 211 for any penalty specified in this subsection if the motor
 212 vehicle is registered in the name of the lessee of the motor
 213 vehicle.

214 (4)(a) In addition to a penalty provided in subsection
 215 (3), a delinquent fee based on the following schedule of license
 216 taxes shall be imposed on any applicant who fails to renew a
 217 registration prior to the end of the month in which renewal
 218 registration is due. The delinquent fee shall be applied
 219 beginning on the 11th calendar day of the month succeeding the
 220 renewal period. The delinquent fee does ~~shall~~ not apply to those
 221 vehicles that ~~which~~ have not been required to be registered
 222 during the preceding registration period or as provided in s.
 223 320.18(2). The delinquent fee shall be imposed as follows:

- 224 1. License tax of \$5 but not more than \$25: \$5 flat.

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225 2. License tax over \$25 but not more than \$50: \$10 flat.
 226 3. License tax over \$50 but not more than \$100: \$15 flat.
 227 4. License tax over \$100 but not more than \$400: \$50
 228 flat.
 229 5. License tax over \$400 but not more than \$600: \$100
 230 flat.
 231 6. License tax over \$600 and up: \$250 flat.
 232 (b) A person who has been assessed a penalty pursuant to
 233 s. 316.545(2)(b) for failure to have a valid vehicle
 234 registration certificate is not subject to the delinquent fee
 235 authorized by this subsection if such person obtains a valid
 236 registration certificate within 10 working days after such
 237 penalty was assessed. The official receipt authorized by s.
 238 316.545(6) constitutes proof of payment of the penalty
 239 authorized in s. 316.545(2)(b).
 240 (c) The owner of a leased motor vehicle is not responsible
 241 for any delinquent fee specified in this subsection if the motor
 242 vehicle is registered in the name of the lessee of the motor
 243 vehicle.
 244 (5) Any servicemember, as defined in s. 250.01, whose
 245 motor vehicle or mobile home registration has expired while he
 246 or she was serving on active duty or state active duty may
 247 ~~shall be able to~~ renew his or her registration upon return from
 248 active duty or state active duty without penalty, if the
 249 servicemember served on active duty or state active duty 35
 250 miles or more from the servicemember's home of record prior to
 251 entering active duty or state active duty. The servicemember
 252 must provide to the department either a copy of the official

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253 military orders or a written verification signed by the
 254 servicemember's commanding officer to receive a waiver of waive
 255 delinquent fees.

256 (6) Delinquent fees imposed under this section are ~~shall~~
 257 not be apportionable under the International Registration Plan.

258 Section 5. Paragraph (a) of subsection (1) of section
 259 320.071, Florida Statutes, is amended to read:

260 320.071 Advance registration renewal; procedures.--

261 (1)(a) The owner of any motor vehicle or mobile home
 262 currently registered in this state may file an application for
 263 renewal of registration with the department, or its authorized
 264 agent in the county wherein the owner resides, any time during
 265 the 3 months preceding the date of expiration of the
 266 registration period. The registration period may not exceed 27
 267 months.

268 Section 6. Section 320.203, Florida Statutes, is created
 269 to read:

270 320.203 Disposition of biennial license tax moneys.--

271 (1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or
 272 (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76
 273 and pursuant to s. 216.351, after the provisions of s.
 274 320.20(1), (2), (3), and (4) are fulfilled, an amount equal to
 275 50 percent of revenues collected from the biennial registrations
 276 created in s. 320.07 shall be retained in the Motor Vehicle
 277 License Clearing Trust Fund, authorized in s. 215.32(2)(b)2.f.,
 278 until July 1. After July 1 of the subsequent fiscal year, an
 279 amount equal to 50 percent of revenues collected from the
 280 biennial registrations created in s. 320.07 shall be distributed

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281 according to ss. 320.08(1), (2), (3), (4)(a) or (4)(b), (6),
 282 (7), (8), (9), (10), or (11), 320.08058, 328.76, and 320.20(1),
 283 (2), (3), and (4).

284 (2) A tax collector may escrow an amount necessary to
 285 annualize revenues collected from the biennial registration
 286 service charges, branch charges, or tax collector fees created
 287 in s. 320.07 until October 1 of the following fiscal year and
 288 then account for that amount as revenue for that fiscal year.

289 Section 7. Subsections (1), (3), (9), and (12) of section
 290 328.72, Florida Statutes, are amended to read:

291 328.72 Classification; registration; fees and charges;
 292 surcharge; disposition of fees; fines; marine turtle stickers.--

293 (1) VESSEL REGISTRATION FEE.--Vessels that are required to
 294 be registered shall be classified for registration purposes
 295 according to the following schedule, and the registration
 296 certificate fee shall be in the following amounts:

297 Class A-1--Less than 12 feet in length, and all canoes to
 298 which propulsion motors have been attached, regardless of
 299 length....\$3.50 for each 12-month period registered.

300 Class A-2--12 feet or more and less than 16 feet in
 301 length....10.50 for each 12-month period registered.

302 (To county)....2.85 for each 12-month period registered.

303 Class 1--16 feet or more and less than 26 feet in
 304 length....18.50 for each 12-month period registered.

305 (To county)....8.85 for each 12-month period registered.

306 Class 2--26 feet or more and less than 40 feet in
 307 length....50.50 for each 12-month period registered.

308 (To county)....32.85 for each 12-month period registered.

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309 Class 3--40 feet or more and less than 65 feet in
 310 length....82.50 for each 12-month period registered.
 311 (To county)....56.85 for each 12-month period registered.
 312 Class 4--65 feet or more and less than 110 feet in
 313 length....98.50 for each 12-month period registered.
 314 (To county)....68.85 for each 12-month period registered.
 315 Class 5--110 feet or more in length....122.50 for each 12-
 316 month period registered.
 317 (To county)....86.85 for each 12-month period registered.
 318 Dealer registration certificate16.50 for each 12-month
 319 period registered.

320
 321 The county portion of the vessel registration fee is derived
 322 from recreational vessels only.

323 (3) ALIEN OR NONRESIDENT LICENSE FEE.--An additional
 324 license fee of \$50 for each 12-month period registered shall be
 325 required of all aliens or nonresidents of the state on all
 326 vessels not subject to a specific reciprocal agreement with
 327 another state, which vessels are used for commercial purposes
 328 and owned in whole or in part by such aliens or nonresidents.
 329 Such fee shall be in addition to the vessel registration fee
 330 required by this section.

331 (9) SURCHARGE.--In addition, there is hereby levied and
 332 imposed on each vessel registration fee imposed under subsection
 333 (1) a surcharge in the amount of \$1 for each 12-month period of
 334 registration, which shall be collected in the same manner as the
 335 fee and deposited into the State Agency Law Enforcement Radio
 336 System Trust Fund of the Department of Management Services.

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337 (12) REGISTRATION.--

338 (a) "Registration period" is a period of 12 months during

339 which a vessel registration is valid.

340 (b) Any vessel owner who is subject to registration under

341 subparagraph (c)1. is eligible for an extended registration

342 period that begins the first day of the birth month of the owner

343 and ends the last day of the month immediately preceding the

344 owner's birth month 24 months after the beginning of the

345 registration period. If the vessel is registered in the name of

346 more than one person, the birth month of the person whose name

347 first appears on the registration shall be used to determine the

348 extended registration period. For a vessel subject to this

349 extended registration period, the renewal period is the 30-day

350 period ending at midnight on the vessel owner's date of birth.

351 ~~"Renewal period" is a period of 30 days during which renewal of~~

352 ~~a vessel registration is required, except as otherwise provided~~

353 ~~by law.~~

354 (c) The following registration periods and renewal periods

355 are established:

356 1. For vessels owned by individuals, the registration

357 period begins the first day of the birth month of the owner and

358 ends the last day of the month immediately preceding the owner's

359 birth month in the succeeding year. If the vessel is registered

360 in the name of more than one person, the birth month of the

361 person whose name first appears on the registration shall be

362 used to determine the registration period. For a vessel subject

363 to this registration period, the renewal period is the 30-day

364 period ending at midnight on the vessel owner's date of birth.

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365 2. For vessels owned by companies, corporations,
366 governmental entities, and registrations issued to dealers and
367 manufacturers, the registration period begins July 1 and ends
368 June 30. The renewal period is the 30-day period beginning June
369 1.

370 Section 8. This act shall take effect January 1, 2008.